

INITIAL STATEMENT OF REASONS

Hardwood 2002

[July 26, 2002]

Title 14 of the California Code of Regulations (14 CCR):

Amend:

**§§ 932.9, 952.9 Cumulative Impacts Assessment Checklist
Appendix Technical Rule Addendum # 2
C. Biological Resources**

14 CCR §§ 932.9, 952.9 Cumulative Impacts Assessment Checklist

PUBLIC PROBLEM, ADMINISTRATIVE REQUIREMENT, OR OTHER CONDITION OR CIRCUMSTANCE THE REGULATION IS INTENDED TO ADDRESS

There is concern in the Department of Fish and Game that adequate hardwoods are not retained to meet the needs of wildlife following timber harvest.

SPECIFIC PURPOSE OF THE REGULATION

To guide the Registered Forester preparing timber harvest plans so that adequate hardwoods are maintained to provide for the needs of wildlife.

NECESSITY

PRC § 4513(b) states that one of the goals of the Z'berg-Nejedly Forest Practice Act is to give consideration to wildlife. This regulation will further that goal.

TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS

The Board did consult the following publications as referenced in this *Statement of Reasons*:

1. California Department of Fish and Game, Interim Wildlife/Hardwood Management Guidelines, 2/1/89
2. Joint Policy on Hardwoods, CDF&G / CDF

ALTERNATIVES TO THE REGULATION CONSIDERED BY THE BOARD AND THE BOARD'S REASONS FOR REJECTING THOSE ALTERNATIVES

No other alternatives were presented to, or considered by the Board at this time.

ALTERNATIVES TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS

The Board has not identified any alternatives that would lessen any adverse impact on small businesses.

EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON ANY BUSINESS

The Board staff estimated that this regulation should not have any adverse economic impact on any business. Businesses conducting timber operations are already mandated to comply with PRC 4513(b) and leave hardwoods necessary for wildlife. The Board has determined that the potential cost for this regulation to businesses would be minimal.

POSSIBLE SIGNIFICANT ADVERSE ENVIRONMENTAL EFFECTS AND MITIGATIONS

The Board has not identified any adverse environmental effects from the proposed action. This action would enhance the environment because more hardwoods will be left to meet the needs of wildlife.

Pursuant to Government Code § 11346.2(b)(6): In order to avoid unnecessary duplication or conflicts with federal regulations contained in the Code of Federal Regulations addressing the same issues as those addressed under the proposed regulation revisions listed in this *Statement of Reasons*; the Board has directed the staff to review the Code of Federal Regulations. The Board staff determined that no unnecessary duplication or conflict exists.

PROPOSED TEXT

The proposed revisions or additions to the existing rule language is represented in the following manner:

UNDERLINE indicates an addition to the California Code of Regulations, and

~~STRIKETHROUGH~~ indicates a deletion from the California Code of Regulations.

All other text is existing rule language.

jlm. 7/16/02

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